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world, we wouldn't have to make those cuts but we do, and I want to make sure that our kids have books, the materials that they need to excel in the classroom.

SENATOR SMITH: So would you say that this would not invite any litigation? I mean, it makes me a little nervous when I hear about threatening lawsuits across the state that, you know, against the state for not funding education. I mean you wouldn't necessarily see a lawsuit from occurring...or see a lawsuit occurring between some local entities because the word, as much as possible, was construed differently by one party than the other?

SENATOR BOURNE: Well, I sure don't, Senator Smith, and I'll tell you if there was to be a lawsuit over what the state's priority is I think we would have already had it. Because, again, the constitution says the Legislature shall provide for the free instruction in the common schools of this state, so the constitution itself sets forth the priority that instruction is number one in K-12 education. So I think if there was going to be a suit over this matter, it would have already been done. That's my guess. I don't see any basis for a suit whatsoever on the language of this amendment.

SENATOR SMITH: But you do see the necessity of the amendment to carry the constitutional language a bit further.

SENATOR BOURNE: I think that it's a necessity that we, as legislators, remind school districts that it's about the kids and that we need to reinforce that it's our intent that children have the proper materials they need to, again, excel in the classroom before, say, we replace the floor in the gym or a new car for an administrator or something along those lines. So, yeah, I think it's important in these tough budgetary times to remind individuals that the priority are the kids.

SENATOR SMITH: Okay. Thank you. With that, I would offer my support to the Bourne amendment because I believe that...and it's already being done in many cases, where they're cutting back on some administrative issues rather than laying off teachers, and I commend those districts for doing that. But I